

# EXHIBIT 3

1                   IN THE UNITED STATES DISTRICT COURT  
2                   EASTERN DISTRICT OF TEXAS  
3                   TYLER DIVISION  
4       CHRIMAR SYSTEMS, INC.,       )  
      ET AL.,                        )  
5           Plaintiffs,                )  
                                      )  
6       vs.                            )       No. 6:13-CV-880-JDL  
                                      )  
7       ALCATEL-LUCENT, INC.,       )  
      ET AL.,                        )  
8           Defendants.                )  
                                      )  
9       CHRIMAR SYSTEMS, INC.,       )  
      ET AL.,                        )  
10          Plaintiffs,                )  
                                      )  
11       vs.                            )       No. 6:13-CV-881-JDL  
                                      )  
12       AMX, LLC,                    )  
          Defendant.                )  
                                      )  
13       CHRIMAR SYSTEMS, INC.,       )  
      ET AL.,                        )  
14          Plaintiffs,                )  
                                      )  
15       vs.                            )       No. 6:13-CV-882-JDL  
                                      )  
16       GRANDSTREAM NETWORKS,       )  
      INC.,                          )  
17          Defendant.                )  
                                      )  
18       CHRIMAR SYSTEMS, INC.,       )  
      ET AL.,                        )  
19          Plaintiffs,                )  
                                      )  
20       vs.                            )       No. 6:13-CV-883-JDL  
                                      )  
21       SAMSUNG ELECTRONICS CO.,     )  
      ET AL.,                        )  
22          Defendants.                )  
                                      )  
23                   VIDEOTAPED DEPOSITION OF LESLIE ALAN BAXTER  
24                   TAKEN ON BEHALF OF THE DEFENDANT AMX, LLC  
25                   OCTOBER 22, 2014

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4	For Defendant AMX, LLC		
5	LESLIE ALAN BAXTER		
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22      SAMSUNG ELECTRONICS CO.,     )  
      ET AL.,                        )  
23      Defendants.                    )  
                                      )  
24                   VIDEOTAPED DEPOSITION OF WITNESS,  
25       LESLIE ALAN BAXTER, produced, sworn and examined on  
      the 22nd day of October, 2014, between the hours of

1 eight o'clock in the forenoon and six o'clock in  
2 the afternoon of that day, at the offices of The  
3 Simon Law Firm, 800 Market Street, St. Louis,  
4 Missouri, before Tara Schwake, a Certified Realtime  
5 Reporter and Notary Public within and for the State  
6 of Illinois, in a certain cause now pending in the  
7 United States District Court, Eastern District of  
8 Texas, Tyler Division, wherein Chrimar Systems,  
9 Inc., et al., are Plaintiffs and Alcatel-Lucent,  
10 Inc., et al., are Defendants; et cetera.

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1 APPEARANCES

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20 President & CEO, CMS Technologies

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22 Ms. Tara Schwake, CRR, RPR

23 Mr. John Niehaus, Videographer

1           A       I don't know that I've ever seen  
2 anything like that.

3           Q       Could it be done?

4           A       I don't know offhand.

5           Q       Okay. So let's take a company that's  
6 selling a product with an Ethernet connector. Does  
7 that Ethernet connector have an impedance across a  
8 path?

9           A       Yes, in general there will be some  
10 paths that have some impedance across.

11          Q       Okay. Is there ever going to be --  
12 and we can use either definition of impedance,  
13 plaintiffs' or defendants', it doesn't matter to  
14 me, just please specify which one you want to use.  
15 Is there ever going to be an instance in which an  
16 Ethernet device with an Ethernet connector is not  
17 going to have an impedance across a path?

18          A       No, I think there's always going to  
19 be some path with some impedance.

20          Q       Okay. And just to clarify for the  
21 record, is that under your proposed construction,  
22 or defendants'?

23          A       Certainly under ours.

24          Q       Okay. Would you believe that's the  
25 case under defendants' as well? Or --



1 Let's go on to paragraph 66 through 78. And now  
2 we're talking about impedance within the path  
3 between the contacts of the Ethernet connector.

4 A Right.

5 Q And I'm going to refer to you  
6 paragraph 77. Would a person of ordinary skill in  
7 the art at the date of filing of the earliest  
8 patent application or the date of invention have  
9 already seen something similar to the schematic in  
10 paragraph 77?

11 MR. KRIEGER: Objection, form.

12 A Whether they would have seen this  
13 exact schematic or not, I don't know, but certainly  
14 you would be familiar with what the Ethernet  
15 connector is, what an impedance is, and what a path  
16 is.

17 So I think those are very familiar  
18 concepts to anyone of skill in the art at that time  
19 and since Ethernet, you know, twisted pairing had  
20 been around for some years, certainly they would  
21 have seen schematics that had connections across  
22 the contacts of a modular jack.

23 Q (BY MR. BLUESTONE) Okay. I'll show  
24 you what we'll mark as Exhibit 5.

25 (Exhibit 5 marked for identification)

CERTIFICATE OF REPORTER

I, TARA SCHWAKE, a Registered Professional Reporter and Notary Public within and for the State of Illinois, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

\_\_\_\_\_  
Notary Public in and for  
The State of Illinois

DEPOSITION REVIEW  
CERTIFICATION OF WITNESS

ASSIGNMENT NO: 1947492

CASE NAME: Chrimar Systems, Inc., et al. v. Alcatel-Lucent

DATE OF DEPOSITION: 10/22/2014

WITNESS' NAME: Leslie Alan Baxter

In accordance with the Rules of Civil  
Procedure, I have read the entire transcript of  
my testimony or it has been read to me.

I have made no changes to the testimony  
as transcribed by the court reporter.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Leslie Alan Baxter

Sworn to and subscribed before me, a  
Notary Public in and for the State and County,  
the referenced witness did personally appear  
and acknowledge that:

They have read the transcript;  
They signed the foregoing Sworn  
Statement; and  
Their execution of this Statement is of  
their free act and deed.

I have affixed my name and official seal

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Commission Expiration Date

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In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me.

I have listed my changes on the attached Errata Sheet, listing page and line numbers as well as the reason(s) for the change(s).

I request that these changes be entered as part of the record of my testimony.

I have executed the Errata Sheet, as well as this Certificate, and request and authorize that both be appended to the transcript of my testimony and be incorporated therein.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Leslie Alan Baxter

Sworn to and subscribed before me, a Notary Public in and for the State and County, the referenced witness did personally appear and acknowledge that:

They have read the transcript;  
They have listed all of their corrections in the appended Errata Sheet;  
They signed the foregoing Sworn Statement; and  
Their execution of this Statement is of their free act and deed.

I have affixed my name and official seal  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Commission Expiration Date